

# **MARCH 2015**

# **ORAL ARGUMENT**

# **CALENDAR**

Updated: 02/27/2015

**MARCH, 2015**

**COURT MEETING WILL NOT BE HELD**

**March 11, 2015**

**11:00 A.M. FRANKFORT TIME, MOTION PANEL,  
JUDGE IRV MAZE, PRESIDING JUDGE,  
JUDGE JONES AND JUDGE THOMPSON, ASSOCIATES**

**PHONE NUMBERS WHERE PANEL MEMBERS CAN BE REACHED WHEN ORAL  
ARGUMENTS SCHEDULED:**

**FRANKFORT – Contact Patricia Brauer - (502) 573-7920**

**LEITCHFIELD – Contact Stacie Blain – (270) 259-3040**

**LOUISVILLE – Contact Brandeis School of Law – (502) 852-6092**

**SOMERSET –Contact Ashley Haste or Bobbie Turner – (606) 677-4098**

**LOCATION: BRANDEIS SCHOOL OF LAW, UNIVERSITY OF LOUISVILLE, ALLEN  
COURTROOM, 2301 SOUTH THIRD STREET, LOUISVILLE, KENTUCKY**

**DATE: Wednesday, March 25, 2015**

**09:00 AM PJ: COMBS, HON. SARA W.**

**KRAMER, HON. JOY A.**

**MAZE, HON. IRV**

**2014CA000423**

**PHYLLIS HUNDLEY v DAVID L. WILSON**

Dispute as to whether a contract was ever created to settle a lawsuit following a death resulting from a motor vehicle accident.

**CIVIL**

**OLDHAM COUNTY**

**HON KAREN A. CONRAD**

Appellant Atty:

Appellant Name:

**COOK, BRIAN**

**HUNDLEY, PHYLLIS**

**NEFZGER, WILLIAM**

Appellee Atty:

Appellee Name:

**LANT, ASHLEY**

**WILSON, DAVID**

**MARTIN, JOHN JR**

**\*\* NOTE: \*\*PREVIOUSLY ON 3/25/2015 AT 2:00 PM.**

**09:45 AM PJ: JONES, HON. ALLISON E.**

**COMBS, HON. SARA W.**

**MAZE, HON. IRV**

**2013CA001808**

**ROBERT ALLEN EDMONDS v COMMONWEALTH OF KENTUCKY**

Criminal; matter of right appeal from Circuit Court order summarily denying post-judgment RCr 11.42, CR 60.02 motion to vacate judgment.

**JEFFERSON COUNTY**

**HON FREDERIC COWAN**

Appellant Atty:

Appellant Name:

**BURKE, DENNIS**

**EDMONDS, ROBERT**

**STAPLES, AMY**

Appellee Atty:

Appellee Name:

**FUCHS, GREGORY**

**COMMONWEALTH OF KENTUCKY**

**\*\* NOTE:**

**LOCATION: BRANDEIS SCHOOL OF LAW, UNIVERSITY OF LOUISVILLE, ALLEN  
COURTROOM, 2301 SOUTH THIRD STREET, LOUISVILLE, KENTUCKY**

**DATE: Wednesday, March 25, 2015**

**10:30 AM PJ: MAZE, HON. IRV**

**COMBS, HON. SARA W.**

**JONES, HON. ALLISON E.**

**2013CA001003 KENTUCKY SPIRIT HEALTH PLAN, INC. v COMMONWEALTH OF KENTUCKY**

**2013CA001081**

Appeal from grant of summary judgment for the Commonwealth on contractual dispute regarding the state Medicare Plan. Whether genuine issues of material fact existed concerning Appellant's contractual obligation to the state to pay for preventative health services, including those rendered by RNs in schools; whether the Department of Medicaid Services and the trial court properly interpreted and relied upon certain regulatory and statutory authority. Both parties request oral argument.

**CIVIL**

**FRANKLIN COUNTY**

**HON PHILLIP J. SHEPHERD**

Appellant Atty:

**BREETZ, BETHANY  
COLLIER, PHILLIP  
CRAIG, JANET  
JOHNSON, ELIZABETH**

Appellant Name:

**KENTUCKY SPIRIT HEALTH PLAN, INC.**

Appellee Atty:

**BOHNERT, KENNETH  
PALMER, BRADLEY  
SULLIVAN, RICHARD**

Appellee Name:

**COMMONWEALTH OF KENTUCKY**

**\*\* NOTE:**

**01:15 PM PJ: COMBS, HON. SARA W.**

**JONES, HON. ALLISON E.**

**MAZE, HON. IRV**

**2013CA002112 ANTHONY WILLIAMS v COMMONWEALTH OF KENTUCKY**

On discretionary review; issue challenged: was there prejudice in combining a preliminary hearing with a revocation hearing when two different standards of proof are involved?

**JEFFERSON COUNTY**

**HON JUDITH E MCDONALD-BURKMAN**

Appellant Atty:

**EGGERT, ROB**

Appellant Name:

**WILLIAMS, ANTHONY**

Appellee Atty:

**CONWAY, JACK  
WARD, JOHN JR**

Appellee Name:

**COMMONWEALTH OF KENTUCKY**

**\*\* NOTE:**

**LOCATION: BRANDEIS SCHOOL OF LAW, UNIVERSITY OF LOUISVILLE, ALLEN  
COURTROOM, 2301 SOUTH THIRD STREET, LOUISVILLE, KENTUCKY**

**DATE: Wednesday, March 25, 2015**

**02:00 PM PJ: JONES, HON. ALLISON E.**

**COMBS, HON. SARA W.**

**MAZE, HON. IRV**

**2013CA001611**

**RUSSELL H. WILLIAMS v SEVEN COUNTIES SERVICES, INC.**

Civil; Whether Circuit Court erred in granting summary judgment on Appellant's claims for Wrongful Termination and Defamation.

**CIVIL**

**JEFFERSON COUNTY**

**HON ANGELA MCCORMICK BISIG**

Appellant Atty:

Appellant Name:

**COX, DONALD**

**WILLIAMS, RUSSELL**

**SPIEGEL, SCOTT**

**THOMAS, PETERSEN**

Appellee Atty:

Appellee Name:

**JOHNSON, CRAIG**

**SEVEN COUNTIES SERVICES, INC.**

**MILLAR, ANDREW**

**SHAH, VITAL**

**WRIGHT, CATHERINE**

**\*\* NOTE: \*\*PREVIOUSLY ON 3/25/2015 AT 9:00 AM.**

**LOCATION: PULASKI COURT OF JUSTICE,50 PUBLIC SQUARE, COURTROOM A,  
SECOND FLOOR, SOMERSET, KENTUCKY**

**DATE: Wednesday, March 25, 2015**

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**01:00 PM**    **PJ:**    **LAMBERT, HON. DEBRA HEMBREE**                      **THOMPSON, HON. KELLY**                      **VANMETER, HON. LAURANCE B.**  
**2012CA001912**                      **JAMES S. FALLER II v KONRAD GOESS-SAURAU**

Foreclosure action where an amended complaint was filed and default judgment was entered on original complaint prior to the expiration of twenty days response time to amended complaint.

<b>CIVIL</b>	<b>RUSSELL COUNTY</b>	<b>HON VERNON    MINIARD</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>BRIDGEMAN, DAVID</b>		<b>FALLER, JAMES</b>
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>NUNERY, DAVID</b>		<b>KONRAD GOESS-SAURAU</b>
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**\*\* NOTE:**

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**LOCATION: GRAYSON COUNTY CIRCUIT COURTROOM, 500 CARROLL GIBSON  
BOULEVARD, LEITCHFIELD, KENTUCKY**

**DATE: Monday, March 30, 2015**

01:30 PM PJ: STUMBO, HON. JANET L.

ACREE, HON. GLENN E.

TAYLOR, HON. JEFF S.

2014CA000406

HBR BROWNSVILLE, LLC v JOHNNY CHILDRESS

Appeal from order denying arbitration in wrongful death suit against nursing home and its administrator.

CIVIL

EDMONSON COUNTY

HON RONNIE C DORTCH

Appellant Atty:

Appellant Name:

AHRENS, JAN  
LOMOND, KRISTIN  
MILLER, DONALD II

HBR BROWNSVILLE, LLC

Appellee Atty:

Appellee Name:

LOGSDON, GARY  
MAIER, KURT  
MINNER, MATTHEW

CHILDRESS, JOHNNY

**\*\* NOTE:**

02:15 PM PJ: STUMBO, HON. JANET L.

ACREE, HON. GLENN E.

TAYLOR, HON. JEFF S.

2014CA000627

KMM INVESTMENTS, LLC v GLENDA RITCHIE

2014CA000739

Appeal from Judgment in a suit brought over a real estate transaction. The issue is whether the trial court erred in holding that the only recovery Appellant was entitled to is the cost of a surveyor.

CIVIL

TRIGG COUNTY

HON CLARENCE A. WOODALL

Appellant Atty:

Appellant Name:

CHEWNING, SANDS

KMM INVESTMENTS, LLC

Appellee Atty:

Appellee Name:

COURTNEY, DENNIS

RITCHIE, GLENDA

**\*\* NOTE:**

**LOCATION: GRAYSON COUNTY CIRCUIT COURTROOM, 500 CARROLL GIBSON  
BOULEVARD, LEITCHFIELD, KENTUCKY**

**DATE: Monday, March 30, 2015**

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**03:00 PM PJ: TAYLOR, HON. JEFF S.**

**ACREE, HON. GLENN E.**

**STUMBO, HON. JANET L.**

**2014CA000777**

**ASHLEY REID v PILGRAM'S PRIDE CORPORATION**

Whether circuit court erred by denying appellant's motion for a new trial.

**CIVIL**

**GRAVES COUNTY**

**HON TIMOTHY C STARK**

Appellant Atty:

Appellant Name:

**DIXON, DARYL**

**REID, ASHLEY**

Appellee Atty:

Appellee Name:

**MCCALL, WILLIAM  
REINHARDT, R**

**PILGRAM'S PRIDE CORPORATION**

**\*\* NOTE:**

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